

## REMARKS

This responds to the Office Action mailed on June 5, 2007.

Claims 1-6, 10-11, 15-17, 19, 24-29 and 33-34 are amended, claims 7-9, 12-14, 20, 22-23, 30-32 and 35-37 are canceled without prejudice or disclaimer, and no claims are added; as a result, claims 1-6, 10-11, 15-19, 21, 24-29, and 33-34 remain pending in this application. The amendments clarify what Applicant considers the inventive subject matter, correct minor typographical errors, and provide correct claim dependency with respect to now cancelled claims. Support for the amendments may be found throughout the specification, and in particular at paragraphs 44-64 of the specification. Applicant believes no new matter has been introduced with the amendments.

### Interview Summary

Applicant thanks Examiner **Christian Rendon** as well as Supervisory Examiner **Xuan Thai**, for the courtesy of a personal interview on **July 26, 2007** with Applicant's representatives **Rodney Lacy and Michael Blankstein**.

Applicant's representative presented new proposed amendments and discussed how the claimed invention distinguishes over the currently cited references. No agreement regarding the status of the claims was reached during the interview. The Examiner provided suggestions for further amendments, which have been provided in this response.

### Claim Objections

Claims 2, 4, 7, 9, 13-14, 17, 19-20, 23, 25, 27, 30, 32 and 36-37 were objected to because of the following informalities: the use of a trademark name requires the use of the appropriate trademark symbol when addressing objects like Sony PlayStation 2 and Microsoft Xbox. Applicant has amended pending claims 2, 4, 17, 19, 25 and 27 to use appropriate trademark symbols. Claims 7, 9, 13-14, 20, 23, 30, 32 and 36-37 have been canceled in this response rendering the objection moot. Applicant respectfully requests reconsideration and the removal of the objection to claims 2, 4, 17, 19, 25 and 27.

§112 Rejection of the Claims

Claim 23 was rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate enablement. Claim 23 has been canceled in this response, rendering the rejection moot.

§103 Rejection of the Claims

Claims 1, 4-6, 9-11 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the IGN Staff (Xbox Specs) as evidence by Xbox.com (Xbox LAN Parties: Using System Link, hereinafter “Xbox LAN Parties”) in view of one of ordinary skill.

Claims 2, 7, 13, 17, 20-21, 25, 30 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Giancarlo Varanini (“TimeSplitters 2 to support system link”, hereinafter “TimeSplitters”) as evidence by Alexander Lee (“iLink setup FAQ”).

In order for a *prima facie* case of obviousness to exist, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)). Applicant respectfully submits that the pending claims, including amendments to the claims, contain elements not found in the cited references and thus are not obvious in view of the cited references.

As an initial matter, Applicant notes that the features relied on in the rejections, and the references themselves involve linking two or more independent game consoles. For example, Xbox Specs and Xbox LAN Parties were relied on to indicate that a cable could provide a connection between two Microsoft Xbox video game consoles and that two or more Xbox consoles may be linked together. Similarly, TimeSplitters and iLink Setup FAQ indicate that a PlayStation 2 video game consoles may be linked together. Applicant notes that in the configurations referred to by the cited references, each video game console executes an

independent copy of the game, and controls the execution of its copy (see e.g. Xbox LAN parties at “The Takeaways”, iLink Setup FAQs at page 2, first full paragraph). This is quite different from the claimed inventive subject matter, in which a media control unit including an adapted video game console presents media as requested by a gaming control unit. In other words, the gaming control unit controls the presentation of a wagering game, this control includes determining media that is part of the wagering game that is to be presented on a media control unit and selecting a media control unit to display the media.

For example, claim 1 as amended recites:

selecting by the gaming control unit in accordance with the game state a media control unit from a set of one or more media control units, wherein each media control unit includes an adapted video game system;  
transmitting a set of one or more media presentation requests to the selected media control unit; and  
in response to the one or more media presentation requests, presenting by the selected media control unit media indicated by the one or more media presentation requests.

Independent claims 15 and 24 recite similar elements. Applicant has reviewed Xbox Specs, Xbox LAN Parties, TimeSplitters and iLink Setup FAQ and can find no teaching or suggestion of the use of adapted video game consoles that present media at the request of a gaming control unit as part of a wagering game that is running under the control of the gaming control unit. None of the cited references involve the presentation of a wagering game. Further, as noted above, the cited references refer to configurations in which each video game console runs its own copy of game, they do not present media at the request of a gaming control unit. As a result, none of Xbox Specs, Xbox LAN Parties, TimeSplitters or iLink Setup FAQ, alone or in combination, teach or suggest all of the elements of Applicant’s claims 1, 15 or 24. Therefore claims 1, 15 and 24 are not obvious in view of any combination of Xbox Specs, Xbox LAN Parties, TimeSplitters and iLink Setup FAQ. Applicant respectfully requests reconsideration and the withdrawal of the rejections of claims 1, 15 and 24.

Claims 2-6 and 10-11 depend either directly or indirectly from claim 1; claims 16-19 and 21 depend either directly or indirectly from claim 15; and claims 25-29 and 33-34 depend either directly or indirectly from claim 24. These dependent claims are therefore not obvious for at least the reasons discussed above, and in addition recite other patentable distinctions. If an

independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is also nonobvious. MPEP § 2143.03.

### **RESERVATION OF RIGHTS**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

### CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (612) 373-6954 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

WAYNE H. ROTHSCHILD ET AL.

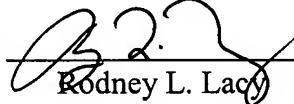
By their Representatives,

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Date

September 5, 2007

By

  
Rodney L. Lacy  
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5 day of September 2007.

Name

Peter Rubuffo

  
Signature